

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:

MILLARD COURTNEY FARMER,  
JR.

Debtor.

CHAPTER 13

CASE NO. 18-52363-jwc

**MOTION TO SELL PROPERTY**

Comes now debtor and respectfully shows:

1.

This court has exclusive jurisdiction over the property in question under 28 USC § 1334.

2.

The residence of debtor is worth approximately \$480,000 and is free of liens.

3.

The debtor is required by the settlement agreement, plan and order entered by the court (Docket 71) to sell such property.

4.

In connection with said sale of the property, and subject to the terms of the Settlement Agreement, \$450,000.00, in immediately available funds, and without

any reductions or offsets for sale closing costs, transfer taxes, or otherwise, would be paid directly to Kilpatrick, Townsend & Stockton LLP (“KTS”), in its capacity as attorney for John H. Murphy, by delivery of the same to KTS via a certified bank check or a wire transfer.

5.

Such a sale would realize the full value of the house and would not jeopardize the rights of any other creditor or the Chapter 13 Trustee.

6.

A true and correct copy of the proposed sales contract is attached.

7.

In the event KTS has not received the Settlement Amount on or before the date stated in the Settlement Agreement, or such other date if agreed to in writing by KTS in its sole discretion, KTS may enforce the Settlement Agreement including, without limitation, immediately recording the Quitclaim Deed received from the debtor, free and clear of any and all liens including those of the brokers and the buyer involved in the sale, and debtor being responsible for all costs and expenses for such transfer including any transfer taxes. If requested by KTS, and in lieu of the Quitclaim Deed already delivered to KTS, debtor shall execute a new Quitclaim Deed, in substantially the same form, in the name of an affiliate of KTS.

8.

Movant requests that the fourteen day stay under Rule 6004 be waived, so that the parties can close immediately after the entry of the order.

This 7th day of May, 2019.

/s/ Ralph Goldberg  
Ralph Goldberg  
Georgia Bar No. 299475  
Attorney for Millard Farmer  
Goldberg & Cuvillier, P.C.  
1400 Montreal Road  
Suite 100  
Tucker, GA 30084-6919  
(770) 670-7343  
(770) 670-7344 (FAX)  
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**IN THE UNITED STATES BANKRUPTCY COURT  
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IN RE: )  
 ) CHAPTER 13  
MILLARD COURTNEY FARMER, JR., )  
 ) CASE NO. 18-52363-JWC  
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**NOTICE OF HEARING**

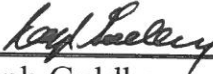
**PLEASE TAKE NOTICE** Debtor has filed a Motion To Approve Sale with the Court.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold a hearing on application in Courtroom **1203**, United States Courthouse, 75 Ted Turner Dr., S.W., Atlanta, Georgia 30303, at **10:00 a.m. on June 4, 2019.**

If you file a written response, you must attach a certificate stating when, how, and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U.S. Bankruptcy Court, United States Bankruptcy Court, Room 1340, 75 Ted Turner Drive, SW, Atlanta, GA 30303. You must also mail a copy of your response to the undersigned at the address stated below.

This 7<sup>th</sup> day of May, 2019.

Goldberg & Cuvillier, P.C.  
1400 Montreal Rd., Suite 100  
Tucker, Ga. 30084-6919  
770-670-7343  
770-670-7344 (FAX)

  
\_\_\_\_\_  
Ralph Goldberg  
Georgia Bar No. 299475  
Attorney for Debtor

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served debtor, creditors and Trustee in the foregoing matter with a copy of this document by depositing in United States Mail copies of the same in properly addressed envelopes with adequate postage thereon or by notification of electronic filing to:

Millard Courtney Farmer, Jr.  
1196 DeKalb Ave  
Atlanta, GA 30307

Nancy J. Whaley, Standing Ch. 13 Trustee  
303 Peachtree Center Avenue  
Suite 120, Suntrust Garden Plaza  
Atlanta, GA 30303

Julie M. Anania  
Nancy J. Whaley  
Standing Ch. 13 Trustee  
Suite 120  
303 Peachtree Center Avenue  
Atlanta, GA 30303-1286

City of Atlanta  
Office of Revenue  
55 Trinity Ave, Suite 1350  
Atlanta, GA 30303

DeKalb County Tax Commissioner  
4380 Memorial Drive, Suite 100  
Decatur, GA 30032

John Harold Murphy  
Kilpatrick Townsend & Stockton LLP  
Attn: Colin M. Bernardino, Esq.  
1100 Peachtree St. NE, Suite 2800  
Atlanta, GA 30309



LVNV Funding, LLC its successors and assigns as  
assignee of Citibank, N.A.  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

Resurgent Capital Services  
P.O. Box 10587  
Greenville, SC 29603

Wilmer Parker  
Suite 910  
1360 Peachtree Street  
Atlanta, Ga. 30309-3287

Collin Michael Bernardino  
Kilpatrick Townsend & Stockton LLP  
1100 Peachtree Street, N.E.  
Atlanta, Ga. 30309-4530

This 7<sup>th</sup> day of May, 2019.

/s/ Ralph Goldberg  
Ralph Goldberg  
Georgia Bar No. 299475  
Attorney for Defendant

Goldberg & Cuvillier, P.C.  
1400 Montreal Road, Suite 100  
Tucker, Georgia 30084-6919  
(770) 670-7343  
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